

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROSE STERLING,

Plaintiff,

-against-

HUMAN RESOURCES ADMINISTRATION
(SOCIAL SERVICES), et al.,

Defendants.

21-CV-10192 (LTS)

ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff Rose Sterling filed this action *pro se*. On August 1, 2022, the Court dismissed the action for lack of standing to assert claims on behalf of Bob Sterling, and for failure to state a claim under 28 U.S.C. § 1915(e)(2)(B)(ii). Judgment was entered on the same day. On August 25, 2022, the Court received from Plaintiff a notice of appeal and a motion for an extension of time to file a notice of appeal under Rule 4(a)(5) of the Federal Rules of Appellate Procedure.¹ (ECF14, 15.)

The Court denies Plaintiff's motion for an extension of time to file a notice of appeal. A litigant has thirty days from entry of the order or judgment she wishes to challenge to file a notice of appeal. Fed. R. App. P. 4(a)(1)(A). Because Plaintiff timely filed her notice of appeal within thirty days after entry of the August 1, 2022, judgment, the Court denies the motion for an extension of time to file a notice of appeal as unnecessary.

¹ On August 30, 2022, the Court transmitted the notice of appeal to the United States Court of Appeals for the Second Circuit.

CONCLUSION

The Court denies Plaintiff's motion for an extension of time to file a notice of appeal (ECF 14) as unnecessary because Plaintiff's notice of appeal (ECF 15) is timely.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: August 30, 2022
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge